

Official Minutes for Webb County Commissioners Court Meeting

Monday, July 26, 2004 at 1:00 PM

(Approved 08-09-2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 21st and 23rd of July 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by Judge Bruni

- Item No. 4 Approval of minutes – July 12, 2004

Cmr. Velasquez stated that he was glad that the minutes clarified what he had stated was correct and the Cmr. Vasquez did indeed vote against Item No. 34 at the June 24th meeting. He stated that this was a formal court and that perjury by any member was a serious matter. He hoped that the County Attorney and County Judge would properly address this matter and take the steps necessary to properly penalize those who perjure themselves before the court. He also stated that on Item No. 4 on page 31, the estimated increase would be approximately \$90,000 not \$8,000. He also stated that on Addendum Item No. 1 on page 8, the \$27 billion assessed should be \$28 million collected. His proposed tax decrease of \$0.04 should be \$0.03.

Cmr. Gutierrez motioned to accept the minutes with corrections submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5 Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented to the Court her Monthly report. She stated that she received a letter from the IRS regarding the 2001 report and was advised that she would need to resubmit the entire year. She stated that she may need the services of Baum & Mejia (current independent auditors are Mejia & Associates) to review paperwork that she will be submitting. Mr. Homero Ramirez, County Attorney, stated that he would contact the auditor's and find out more about request.

Cmr. Gutierrez motioned to accept the Monthly Treasurer's Report. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Cortez thanked those veterans present for their attendance at the meeting as well as for the sacrifices that they have made for this county. He congratulated Mr. Salo Otero, Sports Editor/writer for the Laredo Morning Times who will receive one of the highest honors in Texas for his work as a sportswriter.

Cmr. Velasquez also thanked those veterans present at the meeting. He stated that he placed an item on the previous agenda to lower the tax rate and thanked the taxpayers for voicing their opinions on the item as well as the media outlets for their coverage on this topic. He stated that there would be a Charity Bowling event held by the Laredo Young Lawyer's Association at Jett Bowling on June 27th. He stated that his team would be in the top ten.

Cmr. Gutierrez thanked those veterans present for attending and addressing those issues that are important to them. She requested a moment of silence in memory of Mrs. Adriana Liendo, mother of J.P. Hector Liendo who passed away on July 25th.

Judge Bruni thanked the veterans present for attending and for the service that they have given to this country. He also stated that he was awarded the Rotary Club's "Paul Harris Medal" and thanked them for bestowing that honor to him.

Cmr. Cortez congratulated Judge Bruni for this well-deserved and high honor and award was a culmination of many years of service

Item No. 7 Public Comment

Judge Bruni stated that Item No. 9 be taken with Item No. 7.

Item No. 9 Discussion and possible action to solicit request for qualifications for Webb County Veterans Service Officer.

Mr. Homero Ramirez, County Attorney, stated that he would like to address this item with the Court in Executive Session and would like for item to be tabled so that it can be placed on the next agenda for Executive Session.

Judge Bruni motioned to table item. Cmr. Gutierrez seconded the motion.

Cmr. Cortez requested that the court, if possible, allow those veterans who came to speak address the court. Mr. Ramirez stated that there would be no problem as long as there is no suggestion of action to be taken.

Motion carried 4-1 with Cmr. Cortez voting against.

Mr. Michael Scott was present to address the Court on Item No. 9. He apologized to the court for his appearance but stated that he was currently living at the Salvation Army. He stated that Mr. Jesus Cantu, Veterans Service Officer, has been working on his case for over a month and has been very helpful. He stated that Mr. Cantu was an excellent person for this job.

Mr. Jose J. Arnold, president of Veterans of Foreign Wars, was present to address the Court on Item No. 9. He stated that he has spoken with many veterans with his organization and others. He stated that there hadn't been a Service Officer that has done as good a job as Mr. Cantu since the first Service Officer that was appointed.

Mr. Richard Chamberlain, former Commander Post 59, was present to address the Court on Item No. 9. He stated that Mr. Cantu has helped a lot of veterans and should be kept as the Service Officer.

Mrs. Olivia M. Aguilar and husband Valentin were present to address the Court on Item No. 9. She stated that her husband was a WWII disabled veteran and Mr. Cantu helped him to receive benefits that had been denied. She stated that he was very good at his job and should be kept.

Judge Bruni stated that court is not for or against Mr. Cantu and is only following protocol and recommendation of County Attorney.

Mr. Richard Geissler was present to address the Court on Item No. 9. He stated that in the 35 years that he has lived in Laredo, there has not been a requirement for a mandatory Veterans Service Officer due to the population. He stated that position has become politicized. He stated that the Veterans' Coalition has been accused of thievery and has submitted to an audit in order to prove that there has been no wrong-doing. He stated that there should be public discussion on this item so that proper action can be taken on this item.

Cmr. Cortez welcomed Ms. Martinez who was present at the meeting on behalf of Congressman Henry Bonilla.

Court called for a short recess. (1:49 p.m. to 1:59 p.m.)

Item No. 8 Presentation by the United States Department of Agriculture (USDA)

Ms. Yvonne Garza, USDA, came before the court to advise the public that colonias outside of the City of Laredo are being targeted for assistance through several programs. Mr. Eric Haner, USDA, stated that there are two programs currently available for low-income families. One program is for first-time home buyers and the other is for home improvements. He stated that the properties must have water/sewer hook-ups but that there are monies available to help pay for hook-ups. Another program available for moderate income families is a USDA-guaranteed loan that can be borrowed from any bank that is FDIC insured. He stated that they would leave some pamphlets to be distributed.

Item No. 10 Discussion and possible action to approve the following line item transfer:

From:	001-0200-5601	Administrative Travel	\$ 3,000.00
To:	001-0200-5005	Part Timers	\$ 3,000.00

Cmr. Cortez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez motioned to move up Item No. 14 and Addendum Item No. 1. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Discussion and possible action on construction of memorial monument for Webb County Peace Officers in honor of Jose Gerardo "Curly" Herrera, deceased.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that he has been working closely with the Herrera Family as well as Cmr. Velasquez on this project. He stated that there were some concerns about the potential liability by having an eternal flame, so a bust of the deceased was recommended by the family. He stated that the proposed location of the monument would be the courthouse since that was where the jail was located at the time. He stated that the Court had previously authorized \$25,000 for this project. He stated that the total cost would be approximately \$13,500 with an additional \$1,500 for the bust and additional

materials for the base. He stated that the estimated completion date was for November 2004.

Cmr. Velasquez motioned to accept staff's recommendation and the wishes of the family. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Mrs. Rosalinda Herrera, mother of Jose Gerardo "Curly" Herrera, thanked the court for their dedication to project and stated that she has waited for this for over 18 years.

Addendum
Item No. 1

Discussion and possible action regarding a resolution authorizing the Webb County Judge to submit a grant application to the State of Texas, Office of the Governor, Criminal Justice Division, for funding salaries, direct operational expenses and purchase of equipment for a Multi-Agency Narcotics Task Force ("Laredo Narcotics Task Force") in the amount of ONE MILLION ONE HUNDRED AND FORTY-TWO THOUSAND ONE HUNDRED AND FIFTEEN DOLLARS (\$1,142,115.00), and authorizing the Webb County Judge to sign all relevant documents pertaining to this Grant Application. [Requested by the District Attorney's Office]

Mr. Joe Rubio, District Attorney, stated that this taskforce has been in existence for over 16 years in both Webb and Zapata County. He stated that approximately 21 employees are funded through this grant, including 10 from the City of Laredo. He was advised by the City of Laredo that they would be pulling out of the project as of July 23rd. Since the City of Laredo was the host organization in charge of receiving funds, the County must now take over so that monies can be accepted and payroll can be paid for those employees. He requested that the court approve this item and take the steps necessary to secure those monies. He stated that matching funds for county positions are already in the budget and no additional monies will be needed unless the departments request additional personnel.

Judge Bruni motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Cmr. Velasquez questioned whether the monies would be available for expending upon acceptance or whether the monies needed to be expended by the taskforce and then be reimbursed. Cmr. Cortez stated that the court should authorize the expending of any monies that would be needed between now and the time that the monies become available.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to approve travel for Commissioner Gerardo "Jerry" Vasquez as follows:
- | | |
|-----------------------------------------------------------------------------------------------|----------------|
| Texas Association of Counties registration for the Annual Legislative Conference & Trade Show | \$175.00 |
| Travel accommodations for the above conference | \$740.43 |
| | Total \$915.43 |
- [Account #001-0201-5601 Administrative Travel]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Cmr. Cortez motioned to accept Item No. 13 with Item No. 11. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent. (Motion made by Cmr. Cortez)

- Item No. 13 Discussion and possible action regarding the travel to the Pre-Legislative Session being held in Austin, Texas on August 11th through the 13th, 2004. The registration fee is \$175.00 and the meals and lodging total to \$676.59, for a grand total of \$851.59. [Account #001-0203-5601 Administrative Travel]

Cmr. Vasquez motioned to approve Item No. 11 and No. 13 as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Presentation on Rights for Webb County Employees by Mr. Rene De La Viña, Advocate for all employees.

Mr. Rene De La Viña came before the court as a concerned citizen and stated that at-will procedures currently in place are not in the best interest of the employees. He stated that though an Employee Grievance Committee is in place, its decision/recommendation can be overturned by a majority of the court and was, he believed, a violation of their due process. He had concerns about employees who are treated badly by their supervisors or department heads and take the abuse for fear of retribution if they complain. He stated that he would like the opportunity to serve on the Employee Grievance Committee. He stated that he has no political ties and is only looking for the betterment of County employees and felt that civil service was long overdue in Webb County. Cmr. Vasquez thanked Mr. De La Viña for his work towards the betterment of all employees and his involvement in various employee organizations. Cmr. Gutierrez thanked Mr. De La Viña for his presentation and stated that it took courage to come before the court because many elected

officials do not wish to listen. She hoped to get together with him to look into what possible solutions there are. Judge Bruni also thanked Mr. De La Viña for his presentation and stated that there are always two sides to every story and that he has never fired anyone. He stated that those who have left his office have left out of their own will. Cmr. Cortez stated that under the leadership of the County Judge, steps have been taken to reassure employees of their value to the county. Cmr. Velasquez stated that he has taken action to set up a Human Resource Department and that there is always a lot of talk when there is a change of administration.

Mr. Carlos Blanco was present to address the court on this item. He thanked Mr. De La Viña for a very informative presentation and stated that labor representation and the lack of job security are very heated issues. He stated that leadership is needed to implement civil service for county employees. He stated that it was not proper or just to have the grievance committee exonerate an employee and then have the court or city terminate them anyway.

Mr. Luis Gonzalez was present to address the court on this item. He stated that he supported Mr. Blanco and his comments. He stated that he endured harassment, retaliation, intimidation tactics as well as physical abuse from his supervisor and has been requesting civil service for over two years.

Item No. 15 Presentation on the status of the overpass at Santa Maria and the Mines Road, by the Texas Department of Transportation (TX DOT).

Mr. Carlos G. Rodriguez, TX DOT area engineer, stated that there have been many problems associated with the rail crossing at Santa Maria and Mines Road, especially the traffic delay that can take any where from five minutes to almost an hour. He stated that two connectors would be constructed and consultants are presently working on the project. He stated that it would be going out for bids in August 2005 and would take approximately 2½ years for completion after construction has begun. Cmr. Cortez stated that he has been working with Councilman Jose Valdez, Jr. on this project for many years and is very important for those residents who have to deal with the train crossings.

Court called for a recess. (3:09 p.m. to 3:23 p.m.)

Item No. 16 Discussion and possible action to approve the following line item transfers:

FROM:

001-1050-6006-30	Advertising legal notices	\$ 2,000.00
001-1050-6018	Transcripts	\$ 5,500.00
001-1050-6026	Visiting Judges	\$ 6,500.00
001-1050-6028	Witness Expenditures	\$ 2,500.00
001-1050-6900	Expert Witness	\$ 10,000.00
001-1050-6950	Investigation Expenditures	\$ 1,000.00
001-1050-7000	Other Litigation Expenditures	\$ 7,500.00

001-0105-5001	Payroll (Risk Management)	\$ 21,000.00
001-0106-5001	Payroll (Building Maintenance)	\$ 34,000.00
001-0107-5001	Payroll (Elections Administration)	\$ 24,000.00
001-0108-5001	Payroll (Vehicle Maintenance)	\$ 6,000.00
001-0400-5001	Payroll (County Auditor)	\$ 21,000.00
001-1101-5001	Payroll (County Attorney)	\$ 70,000.00
001-1102-5001	Payroll (Public Defender)	\$ 16,000.00
001-2200-5001	Payroll (Emergency Med. Svcs.)	\$ 16,000.00
001-4101-5001	Payroll (Indigent Health Care)	\$ 43,000.00
001-0109-6009	Appraisal District Cost	\$ 15,000.00
001-0110-7431	Lifeline of Laredo	\$ 5,000.00
001-0112-7205-20	Environmental Invent Project	\$ 10,000.00
001-0112-7211-07	Access & Visitation	\$ 5,000.00
001-0112-7212-01	Indigent Coordinator	\$ 40,000.00
001-6001-6096	Lease Purchase Principal	\$ 76,000.00
		Total \$437,000.00
TO:		
001-0109-6201	Utilities	\$222,000.00
001-1120-6014	Equipment Rental	\$ 10,000.00
001-1050-6024	Court Appointed Attorneys	\$ 43,000.00
001-1050-7001	Indigent Defense Attorneys	\$162,000.00
		Total \$437,000.00

Cmr. Cortez motioned to approve item except for transfers to Court Appointed Attorneys (001-1050-6024) and Indigent Defense Attorneys (001-1050-7001). Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez stated that he had several concerns about this item. He requested that the department names for those payroll deductions be included (Shown in parenthesis as stated by Mr. Jorge Flores, Chief Financial Officer) as well as questions regarding the lease purchase principal from the golf court. He also had concerns about the high amount requested for utilities and increase needed for attorneys when the Public Defenders Office was available.

341st District Judge Elma Teresa Salinas Ender was present as the Administrative Judge for the Board of Judges. She stated that the majority of court appointments are for civil matters as well as child protective service cases. She stated that approximately 90% of those costs are incurred at the County Court at Law level. She stated that the plan implemented according to Senate Bill 7 states that 75% of court appointments go to the Public Defenders Office with the remaining 25% going to private attorneys. She stated that after looking into augmenting the Public Defenders Office versus hiring private attorneys, it was found to be less expensive to appoint private attorneys. She also stated that juvenile, mental health or cases with multiple defendants cannot be handled by the Public Defender's Office. She stated that there are currently two Public Defender slots and the Indigent Coordinator being covered through grants. Mr. Homero Ramirez, County Attorney, stated that the

monies needed to be transferred into those line items either now or in the future and the attorney's fees needed to be paid from the General Fund as per the statute. Mr. Jorge Flores, County Judge's Chief Financial Officer, stated that the reason for the transfers from payroll were savings that resulted either from vacant positions or slots that were unfilled for some time. Judge Bruni advised Mr. Flores to include the department names on all payroll transfer so that the court can make sure that those monies will not be needed later on. Cmr. Cortez requested that those departments whose excess monies are being transferred have those monies reduced in the upcoming budgets and that the budget for court appointed attorneys and indigent defense attorneys be budgeted accordingly.

Cmr. Cortez withdrew his motion. Cmr. Velasquez withdrew his second.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Vasquez stated that the county has received numerous invoices from attorneys who have rendered legal services for court appointed defendants. He stated that he supported the judiciary members and that part of government is to deal with unfunded mandates. Mr. Flores stated that the reason for the utility request being so high is that the county was not billed for approximately six months of service when they switched providers. He stated that the budgeting for this year was then made according to what was paid, not necessarily what was due. Mr. Leo Flores, County Auditor, stated that the utility line item was decreased by \$75,000 in the last budget cycle as per the court's direction. Mr. Raul Casso, County Judge's Chief of Staff, stated that a plan had been approved to send 100% of all misdemeanor cases to the Public Defender's Office but it was not done. He stated that if the Judiciary had cooperated and followed the plan as implemented, they would have been under-budget. Judge Salinas Ender stated that the County Court at Law Judges felt that the Public Defenders Office would be unable to properly handle 100% of misdemeanor cases so they followed the 75%/25% ratio. Cmr. Cortez stated that hopefully the budget will reflect the changes and transfer that have been brought before the court throughout the year. Mr. Homero Ramirez, County Attorney, stated that this item was solely for approval or denial of line item transfers and that any questions regarding the budget would violate the budget preparation project.

Motion carried 5-0 by unanimous consent.

Item No. 17 Discussion and possible action to accept additional allocation from Texas Department of Housing and Community Affairs (TDHCA), in the amount of \$29,080, for the Community Services Block Grant, (CSBG), FY 2004-05.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Cortez questioned whether any of these monies would be allocated for food. Ms. Cynthia Mares, Community Action Agency Director, stated that this grant had specific requirements for its use and would be used for the operational expenses of the agency.

From	To
Part-Time (Center-Aide)	Full-Time (Center Coordinator)
\$8.25/Hr.	\$9.00/Hr. with benefits

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

From:	166-2985	Fund Balance	\$3,000.00
To:	166-2500-5005	Part Timers	\$3,000.00

From:		
001-2502-5601	Administrative Travel	\$ 1,000.00
001-2502-6007	Dues & Membership	\$ 800.00
To:		
001-2502-6204	Fuel & Lubricants	\$ 500.00
001-2502-6403	Repairs and Maintenance	\$ 1,300.00

effective August 1, 2004, between the Texas Department of Human Services and Webb County which now requires Webb County to store and maintain records concerning this contract if Webb County ceases to provide Home-Delivered Meal services and changes the effective date from July 1, 2004 to August 1, 2004, and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22 Discussion and possible action to accept Webb County's share of distribution proceeds (\$48,9700.00) from tax resale of the following real estate property: Lots Number Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7), in Block Number Two Hundred Sixty One (261), in the Eastern Division of the City of Laredo, Webb County, Texas. The property is being bought by Laredo Independent School District. [Requested by Webb County Attorney]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Cmr. Cortez expressed concerns about these properties being someone's homestead and felt that if they were, they should not be sold for failure to pay taxes.

Motion carried 5-0 by unanimous consent.

Ms. Margie Ramirez Ibarra, County Clerk, requested that the court clarify the County's share of distribution proceeds as the amount shown has an extra digit. Judge Bruni stated that the correct amount is \$48,970.00 and amount shown has an extra zero.

- Item No. 23 Discussion and possible action to enter into Third Party Funding Agreement: Funding Pursuant to Hotel Motel Fund Webb County Historical Commission \$5,000, and authorizing the County Judge to execute all relevant documents. [Account #007-0101-7436 Historical Commission]

Cmr. Cortez motioned to approve item with discussion. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that this was the same amount that was originally budgeted for this line item.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to enter into a "Memorandum of Understanding," (for a three year period beginning June 1, 2004 and ending May 31, 2007), with the Laredo Police Department, Texas Parks and Wildlife (Park Ranger) and the Texas Parks and Wildlife Law Enforcement Division (Game Warden) to allow the Webb County Sheriff to assist the Texas Parks and Wildlife Service in providing law enforcement response and services at the Lake Casa Blanca International State Park. [Requested by Webb County Sheriff]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to approve the following line item transfer:
- | | | | |
|-------|---------------|---------------------|------------|
| From: | 001-1120-5001 | Payroll | \$7,489.00 |
| To: | 001-1120-5005 | Temporary Part time | \$7,489.00 |

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to approve purchase of (2) printers from capital outlay account #660-1120-8801. These items were not included in the original capital outlay series 2003 list.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Status on the approval of the contract with Landata Technologies as per proposal submitted for "Restoration and Preservation of Webb County Clerk Records."

Ms. Margie Ramirez Ibarra, County Clerk, stated that she has been working on this project for over one year and would be meeting with Mr. Homero Ramirez, County Attorney, tomorrow to further discuss this item. Mr. Ramirez stated that he has some concerns about this contract and some differences of opinion between himself and Ms. Ibarra. He stated that the details that must be included in the plan are also of concern since he feels that the plan should only list the priorities and not necessarily monetary figures. Ms. Ibarra stated that Legislature requires that monies can only be spent according to the plan and the court would be approving how each penny on that project is spent. She stated that since this project was enacted in 1990, Webb County is the only county in the State of Texas that does not have a plan in place. She stated that the contract needed to be approved so that the plan can show how the monies are going to be spent. Mr. Ramirez stated that a memo submitted by Mr. Nathan Bratton, Assistant County Attorney, on his behalf specifically states his position on this item. Ms. Ibarra stated that she only wants the County attorney to write up the contract and not advice on how to run the project. Cmr. Velasquez stated that he wanted an answer on this item at the next meeting. Mr. Ramirez stated that this is not a matter of a contract issue but matter to the whole process and a commitment for several years with one company.

Item No. 28 Discussion and possible action to authorize the following line item transfer:

From:	001-6105-6204	Fuel & Lubricants	\$1,200.00
To:	001-6105-6205	Materials and Supplies	\$1,200.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29 Discussion and possible action to approve the appointment of a presiding Judge and Alternate Judge for each election precinct to a two year term beginning August 1, 2004 and terminating July 31, 2006, pursuant to Chapter 32, Texas Election Code.

Cmr. Cortez motioned to authorize only a one-year term. Cmr. Gutierrez seconded the motion.

Mr. Oscar Villarreal, Interim Elections Administrator, stated that he would correct as requested and bring before the court.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to transfer \$10,000.00 from repairs of equipment account #001-0106-6402 to repairs and maintenance of buildings account #001-0106-6401.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Cortez congratulated Mr. Raul Elizondo for doing a great job in handling both the Parks and Grounds department and the Building Maintenance department.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to purchase the equipment from the Texas Domestic Preparedness Grant funds SHSP PRE-2004 for the various departments that participated in the Webb County Homeland Security Committee from the following vendors:
VENDOR: HGAC (HOUSTON GALVESTON AREA COUNCIL)
CONTRACT NO.: VE 10-06

FORD EXPEDITION, 4DR., 2WD, 4.6L, V8, A/C, AUTO TRANS	\$22,143.00
-------------------------------------------------------	-------------

VENDOR: FISHER

CBRNE LOGISTICAL SUPPORT EQUIPMENT	\$ 5,421.47
CBRNE SEARCH AND RESCUE EQUIPMENT	\$ 719.79
COMMUNICATIONS EQUIPMENT	\$ 410.00
DETECTION EQUIPMENT	\$ 3,828.41
MEDICAL SUPPLIES & PHARMACEUTICALS	\$ 2,841.20
NO CATEGORY DEFINED (MATERIALS AND SUPPLIES)	\$ 169,319.07
PPE	\$ 8,469.63
TOTAL-Fisher.....	\$ 191,009.57

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that various pieces of equipment listed in the back-up would be purchased from the No Category Defined division.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to authorize the purchasing agent to submit a general request for payment for invoices owed to Propane Energy for the golf course dated 4-27-01 for \$225.09 and 6-12-01 for \$414.11 for a total of \$639.20. [Account #001-6001-6201 Utilities]

Mr. Eloy Ramirez, Purchasing Agent, requested that the court table this item.

Judge Bruni motioned to table Item No. 32. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to purchase 1000 (96 gal) trash cans in the amount of \$43,760 (Pricing is from State of Texas Contract #450-A2) from Toter Incorporated for the Road and Bridge Department. [Account #010-7002-6205 Materials & Supplies]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, stated that these are special cans that are for use with the side lift on the garbage truck. Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that there is no charge for garbage pick-up. Mr. Raul Casso, County Judge's Chief of Staff, stated that by virtue of paying county taxes, the residents are not liable for paying the county for garbage pick-up or garbage can rental fees. Cmr. Cortez requested that Mr. Rodriguez bring before the court the total amount of money that it costs to pick-up garbage and the estimate for pick-up by a private company. Mr. Homero Ramirez, County Attorney, stated that he would get more comprehensive information on this item as well as look into the possibility of charging for these services.

- Item No. 34 Discussion and possible action to retain the services of Trinity Testing Laboratories for the following services:

- | | |
|---------------------------------------------------------------------|----------------------------|
| (1) Storm Drainage borings 5,500 l.f. @ 500' intervals to 10' depth | |
| 11 @ 10 feet = 110 feet @ \$22.00/l.f. | \$2,420.00 |
| (2) Detention Ponds, 2 borings at each 10' depth. | |
| 4 @ 10 feet depth = 40 feet @ \$22.00/l.f. | \$ 880.00 |
| (3) Street borings 17,500 lin. Ft. @ 600' to 5' depth. | |
| 30 @ 5 feet lin. Ft. @ 600' to 5' depth = 150 feet \$22.00/ft | \$3,300.00 |
| | For a total of: \$6,600.00 |

Submitted by the Engineering Department for storm, sewer, and street improvements in Rio Bravo. [Account #671-8001-6022-8 Professional Services Testing].

Cmr. Vasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action to purchase a 40' high by 200' long #930 redder netting to be installed at the Casa Blanca Golf Course for

a price of \$9,986.40 plus \$1,300.00 for a 6-year 100% replacement warranty for a total of \$11,286.40 from Action Sports Netting, Inc. from bond series 2003 [Account # 665-6001-8601 Construction in Progress]

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to award/reject bid 2004-56 annual contract for weatherization materials and rehab materials to the lowest bidder, Lowe's #1563.

Cmr. Velasquez motioned to award bid 2004-56 to Lowe's #1563. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to solicit bids for the Rio Bravo Storm Drainage and Street Paving Phase I, Border Access Colonia Program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to authorize additional funding for repairs of the Webb County Law Enforcement Center (Jail), including approval of line item transfers using bond proceeds and other funding sources and any matters incident to repairs.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that after the last inspection performed by the Texas Commission on Jail Standards, it would take approximately \$271,762 to complete those repairs brought up by the Commission. He stated that there was possibly \$200,000 available in Bond monies with additional funds possibly from jail renovations and 2001 bond interest. He stated that there was another inspection pending for this week and that the county needed to get out of the remedial order. Judge Bruni stated that if necessary, he had monies available in his 2003 Bond monies. Mr. Villarreal stated that he would be sure to advise the Attorney General of the Court's willingness to cooperate with them regarding the County Jail.

Comr. Gutierrez motioned to approve item for amount stipulated by Mr. Carlos Villarreal, Commissioners Court Executive Administrator. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39 Discussion and possible action to approve expenditures pursuant to section 130.908 of the Texas Local Government Code as follows:

Transcor	\$ 2,368.15
Transcor	\$ 3,838.72
J. W. Dielmann	\$ 2,814.50
American Sales Kirkpatrick	\$ 2,449.20
Bay Fire & Safety	\$ 1,553.00
Bob Barker	\$ 1,572.60
Southwest Sound	\$ 1,268.75
Nextel May	\$ 1780.22
Nextel June	\$ 1,904.27
Nextel July	\$ 1,631.14
Laredo Medical Center	\$33,661.09
Kerrville Bus	\$ 2,955.95
Frio County	\$ 9,562.50

Comr. Vasquez motioned to approve item as submitted. Comr. Velasquez seconded the motion.

Comr. Gutierrez expressed concerns over the requisition for Laredo Medical Center since the amount being paid is for services rendered to only one patient.

Comr. Vasquez modified his motion to eliminate the Laredo Medical Center expenditure in the amount of \$33,661.09 to see if a possible settlement could be made. Comr. Velasquez modified his second to reflect Comr. Vasquez's modification

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action to approve the following line item transfers:

From:	001-2001-5001	Payroll	\$30,000.00
To:	001-2060-6201	Utilities	\$30,000.00
From:	001-2060-5001	Payroll	\$48,000.00
	001-2001-5001	Payroll	\$20,000.00
To:	001-2062-6714	Medical Services	\$68,000.00
From:	001-2003-5001	Payroll	\$13,000.00
	001-2020-5001	Payroll	\$16,000.00
	001-2600-5001	Payroll	\$ 5,000.00
	001-2001-5001	Payroll	\$ 7,000.00
To:	001-2062-6209	Medicines	\$41,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez stated that he would abstain from going into Executive Session.

(EXECUTIVE SESSION 4:58 p.m. to 5:17 p.m.)

Judge Bruni reconvened meeting and stated that no action was taken while in Executive Session.

Item No. 41 Discussion and possible action to approve payment to Mr. Stephen R. Gibson of Gibson & Gonzalez Associates for services rendered after contract expiration, in reference to Webb County Presidential Permit for Bridge #5. [Account #662-8104-6022 Professional Services Bridge Project Series 2003] [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, recommended that the Court authorize himself, Mr. Carlos Villarreal and Mr. Raul Casso to negotiate final resolution of this claim.

Cmr. Gutierrez motioned to accept Mr. Ramirez's recommendation. Cmr. Vasquez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

Cmr. Cortez commended those responsible for submitting the agenda early Friday morning.

Addendum Item No. 2

Item No. 42 Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.